

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

AFSHIN BAHRAMPOUR,

Plaintiff,

vs.

UNITED STATES OF AMERICA; DAVID
TYSON,

Defendants.

Case No.: 2:16-cv-00985-GMN-VCF

ORDER

By Notice, (ECF No. 62), entered April 20, 2017, the U.S. Court of Appeals for the Ninth Circuit referred this matter to the District Court for the limited purpose of determining whether *in forma pauperis* status should continue for this appeal or whether the appeal is frivolous or taken in bad faith. *See* 28 U.S.C. § 1915(a)(3); *Hooker v. Am. Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) (finding revocation of *in forma pauperis* status appropriate where the district court finds appeal frivolous).

Here, Plaintiff Afshin Bahrapour (“Plaintiff”) appeals the Court’s Order, (ECF No. 56), adopting Magistrate Judge Cam Ferenbach’s Report and Recommendation, dismissing this action with prejudice, and naming Plaintiff a vexatious litigation. (*See* Notice of Appeal, ECF No. 60). As stated in the Court’s Order, Plaintiff’s Complaint relies on non-legal authority in support of “fanciful claims against government agencies, and implausible theories of liability based on fantastic concepts like telepathy.” (Order 2:25–3:2). Accordingly, Plaintiff’s appeal lacks any legal or factual basis.

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IT IS HEREBY ORDERED that the Court certifies Plaintiff's appeal as frivolous pursuant to 28 U.S.C. § 1915(a)(3). Plaintiff's *in forma pauperis* status is therefore **REVOKED** for purposes of this appeal.

DATED this 2 day of May, 2017.

Gloria M. Navarro, Chief Judge
United States District Court